IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3379 OF 2004

Shri. Arun D. Deshmukh (Gaikwad) ... Petitioner

Vs.

State of Maharashtra & Ors. ... Respondents

Mr. Vishwas S. Deokar for Petitioner.

Mr. M.H. Solkar, A.G.P. for Respondents.

CORAM : F.I. REBELLO &
S.P. KUKDAY,JJ.
DATED : FEBRUARY 23, 2005

P.C.

. The Petitioner resigned from services in the year 1991. By the present petition, he prays that the respondents be directed to permit him to rejoin the service or in the alternative he may be given pensionary benefits. Considering rule 46 of the M.C.S. (Pension) Rules, 1982, his services has been forefeited and as such he would not be entitled to the pension. The Petitioner has resigned in the year 1991. In such event, if a suit had been filed, it would be barred by limitation. Hence, present petition filed after the lapse of nearly 14 years, can not be entertained.

. It is then contended that considering Rule 46(4) of the said rules, he be given benefit of being

taken back in service. It is not possible considering that the Petitioner has resigned in the year 1991 to consider such a relief or to call on the Respondent to consdier such a relief. Hence, petition rejected.

(F.I. REBELLO,J.)

(S.P. KUKDAY,J.)